

State of Minnesota  
County of Olmsted

District Court  
3rd Judicial District

Prosecutor File No. 12051662  
Court File No. 55-CR-12-6617

State of Minnesota,  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**DILLON GENE CAUDILL DOB: 06/24/1981**

307 3rd Avenue NW #7  
Rochester, MN 55901

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

**COUNT I**

**Charge: Assault-1st Degree-Great Bodily Harm**

Minnesota Statute: 609.221.1, with reference to: 609.11.4

Maximum Sentence: 1 year and 1 day to 20 years in prison, a \$30,000 fine, or both (MSG SL 9)

Offense Level: Felony

Offense Date (on or about): 10/02/2012

Control #(ICR#): 12051662

Charge Description: On or about October 2, 2012, within the County of Olmsted, Dillon Gene Caudill did wrongfully, unlawfully and feloniously assault another, to-wit: a 12-year-old female child, and inflict great bodily harm.

**COUNT II**

**Charge: Criminal Sex Conduct-2nd Degree-Victim Under 13-Actor > 36m Old**

Minnesota Statute: 609.343.1(a), with reference to: 609.11.4, 609.343.2(a)

Maximum Sentence: 1 year and 1 day to 25 years or \$35,000 fine or both (MSG SL D)

Offense Level: Felony

Offense Date (on or about): 10/02/2012

Control #(ICR#): 12051662

Charge Description: On or about October 2, 2012, within the County of Olmsted, Dillon Gene Caudill did wrongfully, unlawfully and feloniously engage in sexual contact with another person, to-wit: a 12-year-old female child, and Dillon Gene Caudill was more than 36 months older than the child.

**COUNT III**

**Charge: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.11.4

Maximum Sentence: 1 year and 1 day to 7 years in prison, a \$14,000 fine, or both (MSG SL 6)

Offense Level: Felony

Offense Date (on or about): 10/02/2012

Control #(ICR#): 12051662

Charge Description: On or about October 2, 2012, within the County of Olmsted, Dillon Gene Caudill did wrongfully, unlawfully and feloniously assault another, to-wit: a 12-year-old female child, with a dangerous weapon, to-wit: a scissors.

#### **COUNT IV**

**Charge: Domestic Assault - By Strangulation**

Minnesota Statute: 609.2247.2

Maximum Sentence: 3 years imprisonment and a \$5,000 fine (MSG SL 4)

Offense Level: Felony

Offense Date (on or about): 10/02/2012

Control #(ICR#): 12051662

Charge Description: On or about October 2, 2012, in the County of Olmsted, Dillon Gene Caudill did wrongfully, unlawfully, and feloniously inflict or attempt to inflict bodily harm against a family or household member, to-wit: an adult female, by intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

---

Your complainant is a licensed peace officer employed by the Rochester Police Department. In that capacity, your complainant has reviewed the police reports relating to Dillon Gene Caudill, the above-named defendant, and the allegations contained therein. Based upon that information, your complainant believes the following to be true and correct.

On October 2, 2012 at approximately 2:40 AM officers of the Rochester Police Department were dispatched to a residence on 6th Avenue NW, Rochester, Olmsted County, Minnesota for an assault. When officers arrived they observed a 12-year-old female with what appeared to be a stab wound to her upper chest. The wound was about a half inch wide and a quarter inch thick. The 12-year-old was holding a brassiere to her chest that appeared to have had the straps cut or torn off of them. The child told officers that she could not breathe and that her back and shoulder blades were hurting and that her mother's boyfriend, Dillon Gene Caudill, DOB 06/24/1981 had stabbed her. The 12-year-old told investigators that she was asleep in her bedroom when she woke up to find Caudill sitting next to her on the bed touching her breasts. She began to scream and Caudill put his hand over her mouth. She bit Caudill's hand and when her mother came into the room and started to fight with Caudill she tried to grab her cell phone but Caudill pushed her into the bookshelf. Caudill then stabbed her and pushed her again. Her mother was then able to get to the kitchen and call the police.

Officers spoke to the child's mother who stated that she has known Caudill since mid-2012 and that she and Caudill have had a sexual relationship but do not live together. She expected Caudill to come over to the house after he got off work at 11 PM on October 1, 2012. She had fallen asleep and woke up when she heard her daughter screaming. The mother stated that she went into her daughter's room and saw blood on her daughter and her daughter was screaming. She then tried to get Caudill away from her daughter. She and Caudill struggled for about five minutes. During the struggle Caudill got behind her, picked her up and put his hand over her mouth so that she could not breathe. She thought she was going to suffocate. Caudill was shaking her from side to side and swinging her around knocking over and breaking things in the room. Finally, Caudill let her go and went into the kitchen where he took a knife from the kitchen and left. Prior to leaving, however, Caudill said something about being sorry. She then called the police.

Officers observed the 12-year-old's room was a mess appearing as though a struggle had occurred in the bedroom with books and other miscellaneous items strewn around the floor and the shelves having been knocked over onto the ground. Officers found a pair of scissors lying on the floor about two feet from the 12-year-old's bed that were part-way open and had a red substance on the scissors that presumptively tested positive for blood. Officers also found a cell phone that was identified as belonging to Caudill in the residence. During a search of Caudill's cell phone officers found photographs of the 12-year-old's upper body and face as she lay sleeping in her bed and another photograph showing part of her bra pulled down exposing one of the 12-year-old's breasts.

The 12-year-old was transported to the hospital by ambulance and was treated for a stab wound to her chest which caused one of her lungs to collapse and blood to pool around her heart.

At approximately 4:20 PM on October 2, 2012 officers observed Caudill walking along Marion Road in Rochester and arrested him. After advising Caudill of his rights under Miranda Caudill admitted that he had gone over to his girlfriend's house after work. That prior to going over to the house he had been smoking methamphetamine. He let himself into the residence and found his girlfriend asleep. He then

went into his girlfriend's daughter's room where he found her sleeping in her bed. Caudill then admitted that he decided take photographs of the 12-year-old, that he got a scissors from the living room and went into the child's bedroom and cut her sports bra. When he did this Caudill stated that the child woke up and began to scream and that he covered the child's mouth but that the child bit his finger. Caudill admitted to pushing the child's mother down and covering her mouth with his hand, that he saw blood on the child and that he grabbed a knife from the kitchen prior to leaving the residence.

NOTICE: YOU MUST APPEAR FOR EVERY COURT HEARING REGARDING THIS CASE. FAILURE TO APPEAR FOR COURT IS A CRIMINAL OFFENSE AND MAY RESULT IN ADDITIONAL CRIMINAL CHARGES BEING IMPOSED AND PUNISHED AS PROVIDED IN MINNESOTA STATUTES SECTION 609.49.

## SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:  
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or  
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

<b>Complainant</b>	Eric Boynton Investigator 101 4th Street SE Rochester, MN 55904-3761 Badge: 2200	Electronically Signed: 10/4/2012
--------------------	----------------------------------------------------------------------------------------------	----------------------------------

Subscribed and sworn to before the undersigned.

<b>Notary Public or Judicial Official</b>	Sandy Schulz, Peace Officer License Number: 6126304, Olmsted County, Minnesota. My license expires: 01/31/2015 Notary Public 101 4th Street SE Rochester, MN 55904-3761	Electronically Signed: 10/4/2012
-----------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------

Being authorized to prosecute the offenses charged, I approve this complaint.

<b>Prosecuting Attorney</b>	James S. Martinson Chief Deputy 151 4th Street SE Government Center - 3rd Floor Rochester, MN 55904 (507) 328-7600	Electronically Signed: 10/4/2012
-----------------------------	-----------------------------------------------------------------------------------------------------------------------------------	----------------------------------

## FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

### ☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ AM/PM before the above-named court at 151 Fourth Street SE, Rochester, MN 55904 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

### ☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

### ☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint is issued by the undersigned Judge as of the following date: October 4, 2012.

Judicial Officer

Robert Birnbaum  
District Court Judge

Electronically Signed: 10/4/2012

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF OLMSTED  
STATE OF MINNESOTA

**State of Minnesota**

Plaintiff

vs.

**Dillon Gene Caudill**

Defendant

*Clerk's Signature or File Stamp:*

#### RETURN OF SERVICE

*I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.*

Signature of Authorized Service Agent: